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CIA vs. Congress and press

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Twice of recent times the government of the United States has entered upon clandestine overseas operations and been forced to abandon them by exposure of them in the American press. In both cases the information reached the press through members of the Congress who disapproved of the operations.

One was the funding of anti-Soviet military action in Angola. The other was the funding of anticommunist political leaders in Italy. A third episode is partially related. The CIA abandoned an attempt to recover the remainder of a Soviet submarine after the press disclosed that the Glomar Explorer, a CIA-funded ship, had brought up the bow section of the submarine but lost the rest during the original attempt in mid-Pacific. In this case newspapers had first obtained the story from sources other than members of Congress. In all three cases the press published information which the government wanted, and tried, to keep secret.

We are dealing here with the central fact that the government has one idea about what should be kept secret and the Congress and the press have different ideas. If the White House, the Pentagon, the CIA, and the FBI had their way none of these three stories, and many others, would have become public knowledge.

Does the above mean that the government of the United States should get out of the clandestine operations business? Or does it mean that the United States should have an official secrets law which would protect the security of such operations?

To understand the problem a little better (if not to provide the solution) it is to be noted that throughout World War II and down to the Vietnam war the OSS (progenitor of the CIA) and later the CIA carried out hundreds of more important clandestine operations without objection in the Congress or disclosure in the American press. And it is most important to add that both Congress and the press were widely aware of those operations.

Washington reporters who covered military operations during World War II were informed fully about such operations, often well in advance. Security was never breached. Throughout the "cold war" and the Korean war American reporters both in Washington and overseas were well informed about most of the CIA operations which have since come to light. But at the time they did not write the stories they knew about, nor would their editors have printed the stories if written.

In other words, through World War II and the "cold war" up to Vietnam the American Government, the Congress, the press, and the people formed a cooperative. One is almost tempted to call it a conspiracy. They all knew more or less what was going on. They all more or less approved. Hence secrecy was maintained. But it was the secrecy of consent. And it was based upon a national agreement as to the purpose, the need, and the enemy.

The CIA could again conduct clandestine operations in secret without fear of leaks in the Congress or disclosure in the press if we were back in a situation like World War II. That was an open and declared war. It was declared after the American sense of justice and decency had been outraged by Nazi behavior in Europe and after the overt attack on Pearl Harbor. Government, Congress, press, and people were united on purpose, need and the enemy.

But the present is not such a situation. There is no declared war. There is no agreed purpose which requires interference in Italian politics or in Angola's three-cornered civil war. The American Government has insisted on launching clandestine operations which it thinks are desirable but which would probably not win open approval after open debate in the Congress.

My present inclination is to think that unless a policy can win open approval in the Congress it had better not, at least for the time being, be pursued in any way. To pursue secretly a policy which could not win approval in the Congress openly is to invite precisely what has happened, an adventure launched and then abandoned; leaving everyone worse off than had the adventure never been attempted.

Making war whether openly or clandestinely is a serious business, the most serious and dangerous upon which any government embarks. The U.S. Constitution puts the warmaking power in the Congress. Unless the Congress has declared a war, it is not committed to the war or to warlike measures. It can repudiate the war, as it did in the case of Vietnam. Lyndon Johnson ignored that in Vietnam. He waged a presidential war. It was like the wars kings and emperors waged in Europe during the 17th and 18th centuries. It was precisely the sort of thing the Founding Fathers were guarding against when they put the power to make war exclusively in the hands of the Congress.

Angola isn't Vietnam. But armed intervention, no matter how indirect or how small the scale, is a form of warmaking. It would be prudent for President Ford to refrain from any form of warmaking, no matter how small, unless he is sure he has the approval of a solid majority in the Congress.

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